

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

BRYAN ANGLE, II,)	
)	
Plaintiff)	1:21-cv-00252-RAL
)	
vs.)	RICHARD A. LANZILLO
)	UNITED STATES MAGISTRATE JUDGE
DR. MONTAG,)	
)	
Defendant)	
)	

ORDER

Plaintiff has filed objections (ECF No. 22) to the Court's Order denying his Motion for Emergency Preliminary Injunction. *See* ECF No. 19. The Clerk of the Court initially treated Plaintiff's motion as an appeal to the U.S. Court of Appeals for the Third Circuit. *See* ECF No. 23. Thereafter, Plaintiff sent a letter to the Court stating that he did not intend to appeal but, instead, sought reconsideration of the Order by the undersigned U.S. Magistrate Judge or review by a U.S. District Judge. *See* ECF Nos. 25, 27. The Court forwarded this letter to the Clerk of the U.S. Court of Appeals for the Third Circuit, which proceeded to dismiss the appeal without prejudice. ECF No. 26.

The Clerk of the Court of Appeals has closed Plaintiff's appeal and returned the case to this Court. Because all parties have consented to the jurisdiction of a U.S. Magistrate Judge, Plaintiff has no right to file objections or otherwise seek review by a U.S. District Judge. *See* ECF Nos. 10, 12. Therefore, consistent with Plaintiff's request for alternative relief, the Court will treat his objections as a motion for reconsideration. In support of this relief, Plaintiff again

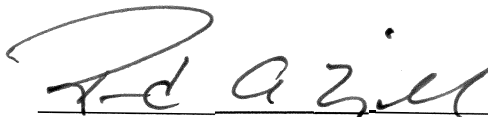
cited his “intellectual disability,” “reading disability,” and “computer illitera[cy].” ECF Nos. 25, 27. While these circumstances may warrant the Court’s extension of deadlines and other accommodations to the Plaintiff, they do not support the equitable relief Plaintiff requested. *See* ECF No. 18. They also do not support reconsideration of the Court’s Order.

Reconsideration is only appropriate where the movant demonstrates (1) a change in controlling law; (2) newly acquired and previously unavailable evidence; (3) clear error of law or fact; or (4) manifest injustice. *See Max’s Seafood Cafe v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999). Plaintiff has offered no support for any circumstance warranting reconsideration of the Court’s order denying his motion for injunctive relief. Accordingly, Plaintiff’s motion for reconsideration is DENIED.¹

IT IS SO ORDERED.

DATED: March 3, 2022

BY THE COURT:



RICHARD A. LANZILLO
UNITED STATES MAGISTRATE JUDGE

¹ To the extent Plaintiff needs additional time to comply with any Court deadline due to limited access to the law library or for any other proper reason, he may raise this in a motion for extension of time.